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Serial No. 10/657,524

Amdt. in Response to Office Action mailed Jan. 11, 2010

UTILITY PATENT

B&D No. TN3481

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended): A saw comprising:

a base for supporting a workpiece;

a table rotatably connected to the base;

a saw assembly ~~connected to the base~~ pivotably attached to the table, the saw assembly comprising a pivot arm, an upper blade guard connected to the pivot arm, a motor attached to the upper blade guard, and a blade driven by the motor, the saw assembly being movable between an upper position for not engaging the workpiece, and a lower position for engaging the workpiece; and

a fence assembly attached to the base and disposed on one side of the blade, the fence assembly comprising

a fixed fence fixedly attached to the base and disposed on the one side of the blade, the fixed fence having a front portion, a rear portion with a substantially horizontal support surface and a channel between the front and rear portions,

a movable fence slidably connected to and removably connected to the fixed fence and disposed on the one side of the blade, the movable fence being linearly movable horizontally relative to the fixed fence along the channel, the movable fence defining a first support plane, at least one of the fixed fence and the movable fence for contacting the workpiece, and

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an auxiliary fence attached to the base and disposed on the one side of the blade behind the substantially horizontal support surface of the fixed fence, the auxiliary fence being higher than a highest point on the fixed fence and having a substantially vertical support surface extending upwardly above the substantially horizontal support surface of the fixed fence, the substantially vertical support surface being along a second support plane substantially parallel to the first support plane, so that when the movable fence is removed, no portion of the fence assembly is above the fixed fence and in front of the second support plane, allowing the auxiliary fence to contact the workpiece;

wherein the blade is movable to a position at least partially behind the auxiliary fence, and the auxiliary fence remains stationary during movement of the table.

Claims 2-3 (canceled).

Claim 4 (withdrawn, currently amended): The saw of Claim 1 2, further comprising a support housing connected to one of the table and the saw assembly, and at least one rail slidably connected to one of the table and the support housing,

Claim 5 (withdrawn): The saw of Claim 4, wherein the saw assembly further comprises a trunnion disposed on the at least one rail, the pivot arm being pivotably attached to the trunnion.

Claim 6 (original): The saw of Claim 1, wherein the fixed fence has a support surface.

Claim 7 (original): The saw of Claim 6, wherein the support surface is substantially parallel to an upper surface of the base.

Claim 8 (original): The saw of Claim 6, wherein the support surface is substantially perpendicular to the first support plane.

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Claim 9 (original): The saw of Claim 1, wherein the fixed fence has a surface which is substantially coplanar with the first support plane.

Claims 10-16 (canceled).

Claim 17 (previously presented): The saw of Claim 1, wherein a distance between the first and second support planes is about 1.65 inches.

Claim 18 (previously presented): The saw of Claim 1, wherein the first and second lines intersect at the contact point.